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United States District Court
For the
District of MinnesotaCLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

Biron v. Sawyer, et al.

Case No. 09-CV-2938
(related case no. 19-cv-57)Motion for Emergency Injunction/Temporary Restraining Order

This lawsuit involves an unlawful de facto no-contact order in which the defendants have unconstitutionally forbidden Rachael Biron and Lisa Biron (daughter and mother, respectively) from communicating with each other indefinitely. The original Complaint was filed in Wasca County Court and removed to this court by the defendants. The defendants Answer is due by 11/21/20.

After this case was removed, plaintiff L. Biron (with consent of R. Biron) filed a motion under Rule 20 to join Rachael Biron as a plaintiff. At the same time, L. Biron mailed a copy of this motion to R. Biron for her to sign and mail to this court. Rachael Biron has previously written a letter to this court (errantly filed in case no. 19-cv-57) asking it to order the defendants to stop blocking her contact with her mother. Rachael is twenty-one years old. There are no court-ordered bars to contact.

Early on November 25, 2019, Lisa Biron placed in the prison mail an envelope containing a limited power-of-attorney addressed to Rachael Biron for her to sign and mail to this court. The POA-document, once executed, would give Lisa Biron a limited power of attorney on behalf and for the benefit of Rachael Biron to sign and file documents and to negotiate on her behalf in this civil action.

Also on November 25, Lisa Biron was placed in the Special Housing Unit ("SHU") to undergo preparation for a medical procedure on November 27, 2019. On November 26, however, L. Biron was informed that she would remain in the SHU after her medical procedure because of her attempt on November 25 to send mail to Rachael Biron.

Lisa Biron learned that the envelope containing the out-going mail to Rachael Biron with the limited-POA form had been removed from the mail by Ms. Stennes (a future defendant) and is now in the possession of Mr. C. Foreman (future defendant). Lisa Biron consulted with Defendant Deanna Hiller to explain the necessity of mailing this court-related document to Rachael. Defendant Hiller refuses to mail the document or return the document to L. Biron, impeding plaintiffs' access to the court.

In order to effectively prosecute this case, it is necessary for L. Biron and R. Biron to communicate and send documents to each other including, but not limited to, the confiscated POA document.

Wherefore, Plaintiffs seek an emergency injunction/TRO ordering the defendants and their associates to immediately release and mail the envelope containing the POA-document to Rachael Biron, and to enjoin defendants and their associates from future interference with Lisa and Rachael Biron's contact regarding this case. Defendants were verbally informed of this motion, and a copy was mailed to AUSA Tweeten.

Respectfully submitted on Nov. 28, 2019

Lisa Biron

Lisa Biron
Wasca, MN

SCANNED

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Lisa Biron as next friend on behalf of Rachael Biron
Rachael Biron
Virginia Beach, VA